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Remarks

In view of the following discussion, the Applicants submit that none of the claims now pending in the application are unpatentable under the provisions of 35 U.S.C. § 103. Thus, the Applicants believe that all of these claims are now in allowable form.

I. REJECTION OF CLAIMS 1-17 UNDER 35 U.S.C. § 103**A. Claims 1, 4-5, 7-9, 11 and 15**

The Examiner has rejected claims 1, 4-5, 7-9, 11 and 15 in the Office Action under 35 U.S.C. § 103 as being unpatentable over Bechtel (US Patent 5,896,092, issued April 20, 1999, hereinafter referred to as "Bechtel") in view of Schmedding et al. (US Patent 6,532,406, issued March 11, 2003, hereinafter referred to as "Schmedding"). Applicants respectfully traverse the rejection.

Bechtel teaches an alarm system for use in attracting the attention of hearing impaired persons and/or attracting the attention of persons in high decibel areas. (See Bechtel, Abstract.) Schmedding teaches a vehicle computer system for motor vehicles. (See Schmedding, Abstract.)

The Examiner's attention is directed to the fact that Bechtel and Schmedding (alone or in any permissible combination) fail to teach or suggest an alarm unit that utilizes an application specific integrated circuit (ASIC), as positively claimed by Applicants in independent claim 1, which recites:

1. An alarm unit, comprising:
a flash circuit having a flashtube for generating a flash; and
an application specific integrated circuit (ASIC) coupled to said flash circuit, for triggering said flash. (Emphasis Added.)

The Applicants' invention teaches that an ASIC may be utilized in an alarm unit. Utilizing ASIC has several exemplary advantages over prior alarm units such as allowing the strobe circuit to operate more quietly, being an actively controlled current-limiter, and greater efficiency. (See Applicants' Specification, Page 2.)

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In contrast, the alleged combination (as taught by Bechtel) fails to teach, show or suggest an alarm unit that utilizes ASIC. Nowhere does Bechtel specify that the integrated circuitry is an ASIC.

Moreover, the significant gap left by Bechtel is not bridged by the combination of Schmedding with Bechtel. The Examiner has conceded that Bechtel did not teach using an ASIC as taught by Applicants' independent claim 1. (See Office Action, Page 2, Lines 8-9.) However, the Examiner asserts that Schmedding teaches using an ASIC in alarm units generally. The Applicants respectfully submit that the Examiner has interpreted Schmedding too broadly. Schmedding merely states that an ASIC can be used to control computer circuitry in vehicles or PDAs. (See e.g., <http://www.webopedia.com/TERM/A/ASIC.html>) As such, there is no motivation to combine Schmedding and Bechtel, where Schmedding only discloses a vehicle computer system and Bechtel only discloses an alarm system. In other words, the Examiner failed to provide the necessary motivation to combine the two references to make Applicants' invention obvious. Moreover, Schmedding and Bechtel cannot be meaningfully combined because alarm units are not computer systems. As such Schmedding fails to bridge the substantial gap left by Bechtel.

In rejecting claims under 35 U.S.C. §103, it is incumbent upon the Examiner to establish a factual basis to support the legal conclusion of obviousness. See In re Fine, 837 F.2d 1071, 1073, 5 USPQ2d 1596, 1598 (Fed. Cir. 1988). In so doing, the Examiner is expected to make the factual determinations set forth in Graham v. John Deere Co., 383 U.S. 1, 17, 148 USPQ 459, 467 (1966), and to provide a reason why one having ordinary skill in the pertinent art would have been led to modify the prior art or to combine prior art references to arrive at the claimed invention. Such reason must stem from some teaching, suggestion or implication in the prior art as a whole or knowledge generally available to one having ordinary skill in the art. Uniroyal, Inc. v. Rudkin-Wiley Corp., 837 F.2d 1044, 1051, 5 USPQ2d 1434, 1438 (Fed. Cir.), cert. denied, 488 U.S. 825 (1988); Ashland Oil, Inc. v. Delta Resins & Refractories, Inc., 776 F.2d 281 293, 227 USPQ 657, 664 (Fed. Cir. 1985), cert. Denied, 475 U.S. 1017 (1986); ACS Hosp. Sys., Inc. v. Montefiore Hosp., 732 F.2d 1572, 1577, 221 USPQ 929, 933 (Fed. Cir. 1984). These showings by the Examiner are an essential part of

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complying with the burden of presenting a prima facie case of obviousness. Note In re Oetiker, 977 F.2d 1443, 1445, 24 USPQ2d 1443, 1444 (Fed. Cir. 1992). Applicants respectfully submit that the Examiner failed to provide a prima facie case of obviousness.

Dependent claims 4-5, 7-9, 11 and 15 recite additional limitation, respectively. As such, and for the exact same reason set forth above, the Applicants submit that claims 4-5, 7-9, 11 and 15 are also not unpatentable over the teachings of Bechtel and Schmedding. Therefore, the Applicants submit that claims 1, 4-5, 7-9, 11 and 15, as they now stand, fully satisfy the requirements of 35 U.S.C. §103 and are patentable thereunder.

B. Claims 2 and 3

The Examiner has rejected claims 2 and 3 in the Office Action under 35 U.S.C. § 103 as being unpatentable over Bechtel in view of Schmedding et al. and further in view of Ko, et al. (US Patent 6,307,328, issued October 23, 2001, hereinafter referred to as "Ko"). Applicants respectfully traverse the rejection.

The teachings of Bechtel and Schmedding have been discussed above. Ko teaches a multipurpose flashlight with the ability to regulate the intensity of light. (See Ko, Abstract.)

However, Ko fails to bridge the substantial gap left by Bechtel and Schmedding. Specifically, Ko fails to teach or suggest an alarm unit that utilizes an application specific integrated circuit (ASIC), as positively claimed by Applicants in independent claim 1 *supra*.

The Applicants' invention teaches that an ASIC may be utilized in an alarm unit. Utilizing ASIC has several exemplary advantages over prior alarm units such as allowing the strobe circuit to operate more quietly, being an actively controlled current-limiter, and greater efficiency. (See Applicants' Specification, Page 2.)

In contrast, Bechtel fails to teach, show or suggest an alarm unit that utilizes ASIC. Nowhere does Bechtel specify that the integrated circuitry is an ASIC. As discussed above Schmedding and Bechtel cannot be meaningfully combined. Moreover, this deficiency is not bridged by the teaching of Ko because Ko also fails to

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specify using an ASIC. As such, there is no motivation to combine Schmedding and Bechtel, and Ko, where Schmedding only discloses a vehicle computer system, where Bechtel only discloses an alarm system and Ko teaches a flashlight. Therefore, the combination of Bechtel, Schmedding and Ko fail to teach, show, suggest or provide motivation for an alarm unit that utilizes an ASIC.

Dependent claims 2 and 3 recite additional limitations, respectively. As such, and for the exact same reason set forth above, the Applicants submit that claims 2 and 3 are also not unpatentable over the teachings of Bechtel, Schmedding and Ko. Therefore, the Applicants submit that claims 2 and 3, as they now stand, fully satisfy the requirements of 35 U.S.C. §103 and are patentable thereunder.

C. Claim 6

The Examiner has rejected claim 6 in the Office Action under 35 U.S.C. § 103 as being unpatentable over Bechtel in view of Schmedding et al. and further in view of Kataoka, et al. (US Patent 4,625,151, issued November, 25, 1986, hereinafter referred to as "Kataoka"). Applicants respectfully traverse the rejection.

The teachings of Bechtel and Schmedding have been discussed above. Kataoka teaches a flash device that uses the same battery to supply both a booster circuit and the processing circuit. (See Kataoka, Abstract.)

However, Kataoka fails to bridge the substantial gap left by Bechtel and Schmedding. Specifically, Kataoka fails to teach or suggest an alarm unit that utilizes an application specific integrated circuit (ASIC), as positively claimed by Applicants in independent claim 1 *supra*.

The Applicants' invention teaches that an ASIC may be utilized in an alarm unit. Utilizing ASIC has several exemplary advantages over prior alarm units such as allowing the strobe circuit to operate more quietly, being an actively controlled current-limiter, and greater efficiency. (See Applicants' Specification, Page 2.)

In contrast, Bechtel fails to teach, show or suggest an alarm unit that utilizes ASIC. Nowhere does Bechtel specify that the integrated circuitry is an ASIC. As discussed above Schmedding and Bechtel cannot be meaningfully combined. Moreover, this deficiency is not bridged by the teaching of Kataoka because Kataoka

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also fails to specify using an ASIC. As such, there is no motivation to combine Schmedding, Bechtel, and Kataoka, where Schmedding only discloses a vehicle computer system, Bechtel only discloses an alarm system and where Kataoka only teaches a flash device. Therefore, the combination of Bechtel, Schmedding and Kataoka fail to teach, show, suggest or provide motivation for an alarm unit that utilizes an ASIC.

Dependent claim 6 recites additional limitations, respectively. As such, and for the exact same reason set forth above, the Applicants submit that claim 6 is also not unpatentable over the teachings of Bechtel, Schmedding and Kataoka. Therefore, the Applicants submit that claim 6, as it now stands, fully satisfies the requirements of 35 U.S.C. §103 and is patentable thereunder.

D. Claim 10

The Examiner has rejected claim 10 in the Office Action under 35 U.S.C. § 103 as being unpatentable over Bechtel in view of Schmedding et al. and further in view of Hata, et al. (US Patent 6,091,898, issued July 18, 2000, hereinafter referred to as "Hata"). Applicants respectfully traverse the rejection.

The teachings of Bechtel and Schmedding have been discussed above. Hata teaches a lens-fitted photo film unit having IC. (See Hata, Abstract.)

However, Hata fails to bridge the substantial gap left by Bechtel and Schmedding. Specifically, Hata fails to teach or suggest an alarm unit that utilizes an application specific integrated circuit (ASIC), as positively claimed by Applicants in independent claim 1 *supra*.

The Applicants' invention teaches that an ASIC may be utilized in an alarm unit. Utilizing ASIC has several exemplary advantages over prior alarm units such as allowing the strobe circuit to operate more quietly, being an actively controlled current-limiter, and greater efficiency. (See Applicants' Specification, Page 2.)

In contrast, Bechtel fails to teach, show or suggest an alarm unit that utilizes ASIC. Nowhere does Bechtel specify that the integrated circuitry is an ASIC. As discussed above Schmedding and Bechtel cannot be meaningfully combined. Moreover, this deficiency is not bridged by the teaching of Hata because Hata also fails

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to specify an alarm unit using an ASIC. As such, there is no motivation to combine Schmedding, Bechtel, and Hata, where Schmedding only discloses a vehicle computer system, Bechtel only discloses an alarm system and where Hata only teaches a lens-fitted photo film unit having IC. Therefore, the combination of Bechtel, Schmedding and Hata fail to teach, show, suggest or provide motivation for an alarm unit that utilizes an ASIC.

Dependent claim 10 recites additional limitations, respectively. As such, and for the exact same reason set forth above, the Applicants submit that claim 10 is also not unpatentable over the teachings of Bechtel, Schmedding and Hata. Therefore, the Applicants submit that claim 10, as it now stands, fully satisfies the requirements of 35 U.S.C. §103 and is patentable thereunder.

E. Claims 12-14

The Examiner has rejected claims 12-14 in the Office Action under 35 U.S.C. § 103 as being unpatentable over Bechtel in view of Schmedding et al. and further in view of Chen, et al. (US Patent 5,595,075, issued January 21, 1997, hereinafter referred to as "Chen"). Applicants respectfully traverse the rejection.

The teachings of Bechtel and Schmedding have been discussed above. Chen teaches a lock and alarm combination for use on a sliding window or door. (See Chen, Abstract.)

However, Chen fails to bridge the substantial gap left by Bechtel and Schmedding. Specifically, Chen fails to teach or suggest an alarm unit that utilizes an application specific integrated circuit (ASIC), as positively claimed by Applicants in independent claim 1 *supra*.

The Applicants' invention teaches that an ASIC may be utilized in an alarm unit. Utilizing ASIC has several exemplary advantages over prior alarm units such as allowing the strobe circuit to operate more quietly, being an actively controlled current-limiter, and greater efficiency. (See Applicants' Specification, Page 2.)

In contrast, Bechtel fails to teach, show or suggest an alarm unit that utilizes ASIC. Nowhere does Bechtel specify that the integrated circuitry is an ASIC. As discussed above Schmedding and Bechtel cannot be meaningfully combined.

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Moreover, this deficiency is not bridged by the teaching of Chen because Chen also fails to specify an alarm unit using an ASIC. As such, there is no motivation to combine Schmedding, Bechtel, and Chen, where Schmedding only discloses a vehicle computer system, Bechtel only discloses an alarm system and where Chen only teaches a lock and alarm combination for use on a sliding window or door. Therefore, the combination of Bechtel, Schmedding and Chen fail to teach, show, suggest or provide motivation for an alarm unit that utilizes an ASIC.

Dependent claims 12-14 recite additional limitations, respectively. As such, and for the exact same reason set forth above, the Applicants submit that claims 12-14 are also not unpatentable over the teachings of Bechtel, Schmedding and Chen. Therefore, the Applicants submit that claims 12-14, as they now stand, fully satisfy the requirements of 35 U.S.C. §103 and are patentable thereunder.

F. Claims 16-17

The Examiner has rejected claims 16 and 17 in the Office Action under 35 U.S.C. § 103 as being unpatentable over Chen in view of Schmedding. Applicants respectfully traverse the rejection.

The teachings of Chen and Schmedding have been discussed above. The Examiner's attention is directed to the fact that Chen and Schmedding (alone or in any permissible combination) fail to teach or suggest an alarm unit that utilizes an application specific integrated circuit (ASIC), as positively claimed by Applicants in independent claim 16, which recites:

16. An alarm unit, comprising:
an audio circuit for generating an audio warning signal; and
an application specific integrated circuit (ASIC) coupled to said audio circuit, for triggering said audio warning signal. (Emphasis Added.)

The Applicants' invention teaches that an ASIC may be utilized in an alarm unit. Utilizing ASIC has several exemplary advantages over prior alarm units such as allowing the strobe circuit to operate more quietly, being an actively controlled current-limiter, and greater efficiency. (See Applicants' Specification, Page 2.)

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In contrast, Chen fails to teach, show or suggest an alarm unit that utilizes ASIC. Nowhere does Chen specify that the integrated circuitry is an ASIC.

Moreover, the significant gap left by Chen is not bridged by the combination of Schmedding with Chen. The Examiner has conceded that Chen did not teach using an ASIC as taught by Applicants' independent claim 16. (See Office Action, Page 5, Lines 18-19.) However, the Examiner asserts that Schmedding teaches using an ASIC in alarm units generally. The Applicants respectfully submit that the Examiner has interpreted Schmedding too broadly. Schmedding merely states that an ASIC can be used to control computer circuitry in vehicles or PDAs. (See e.g., <http://www.webopedia.com/TERM/A/ASIC.html>) As such, there is no motivation to combine Schmedding and Chen, where Schmedding only discloses a vehicle computer system, and where Chen only teaches a lock and alarm combination for use on a sliding window or door. Moreover, Schmedding and Chen cannot be meaningfully combined because lock and alarm combination for use on a sliding window or door are not computer systems. As such Schmedding fails to bridge the substantial gap left by Chen. Therefore, the combination of Schmedding and Chen fail to teach, show, suggest or provide motivation for an alarm unit that utilizes an ASIC as claimed in Applicants' independent claim 16.

Dependent claim 17 recites additional limitations, respectively. As such, and for the exact same reason set forth above, the Applicants submit that claim 17 is also not unpatentable over the teachings of Chen and Schmedding. Therefore, the Applicants submit that claim 17, as it now stands, fully satisfies the requirements of 35 U.S.C. §103 and is patentable thereunder.

Conclusion

Thus, the Applicants submit that all of these claims now fully satisfy the requirements of 35 U.S.C. §103. Consequently, the Applicants believe that all these claims are presently in condition for allowance. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If, however, the Examiner believes that there are any unresolved issues requiring the issuance of a final action in any of the claims now pending in the application, it is

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requested that the Examiner telephone Mr. Kin-Wah Tong, Esq. at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

3/21/05



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